IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

Bail Appl..No. 6044 of 2007()

CRIME NO. 20/07 OF PALAKKAD EXCISE RANGE
AGAINST THE JUDGEMENT/ORDER IN BA.5449/2007 Dated 10/09/2007

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PETITIONER/ACCUSED

RADHAKRISHNAN, AGED 38 YEARS,
S/O THANKAPPAN, CHENKILI,
MUKAL HOUSE, VADAKKUDESOM, KATAMBANAD,
ADOOR TALUK, PATHANAMTHITTA DIST.

BY ADV. SRI.PRADEESH CHACKO

RESPONDENTS: COMPLAINANT
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1. CIRCLE INSPECTOR,
PALAKKAD EXCISE RANGE,
PALAKKAD.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6044 of 2007

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Dated this the 4th day of October, 2007

O R D E R

Second application for regular bail. The petitioner was allegedly found to be in possession and transporting 640 litres of spirit in a car when he was intercepted on 6.8.2007. He continues in custody from that date. Investigation is in progress. Final report has not been filed so far. An earlier application for regular bail filed by the petitioner was dismissed as per order dt. 10.9.07 in B.A. 5449 of 2007. Facts have been adverted to in detail in the said order. This order must be read in continuation of the said order. I am hence not adverting to facts in any greater detail in this order.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is given the full compliment of 60 days to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 6.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays, Wednesdays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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